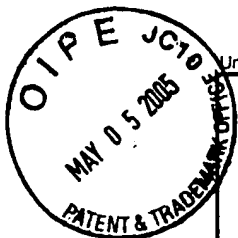


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/701,990
		Filing Date	November 4, 2003
		First Named Inventor	Marc K. HELLERSTEIN
		Art Unit	1645
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	12	Attorney Docket Number	416272005200

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental, 3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. PTO/SB/08a/b (8 pages) 2. 104 Cited References 3. Return Receipt Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature	<i>Michael R. Ward</i>		
Printed name	Michael R. Ward		
Date	May 5, 2005	Reg. No.	38,651

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(Laura Tsang)

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Patent
Docket No. 416272005200
B03-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marc K. HELLERSTEIN

Serial No.: 10/701,990

Filing Date: November 4, 2003

For: DEUTERATED GLUCOSE OR FAT
TOLERANCE TESTS FOR HIGH-
THROUGHPUT MEASUREMENT OF
THE METABOLISM OF SUGARS OR
FATTY ACIDS IN THE BODY

Examiner: Not Yet Assigned

Group Art Unit: 1645

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 416272005200.

Dated: May 4, 2005

Respectfully submitted,

By Michael R. Ward

Michael R. Ward

Registration No.: 38,651

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 8

Complete if Known

Application Number	10/701,990
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Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	416272005200

U.S. PATENT DOCUMENTS

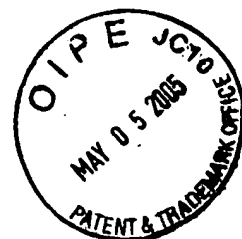
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
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	2.	US-5,439,803	08-08-1995	Ross et al.	
	3.	US-5,961,470	10-05-1999	Wagner et al.	
	4.	US-6,653,076	11-25-2003	Franza, Jr. et al.	
	5.	US-2003/0148533	08-07-2003	Malloy et al.	
	6.	US-2003/0180710	09-25-2003	Lee et al.	
	7.	US-2003/0180800	09-25-2003	Lee et al.	
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	10.	US-2004/0091943	05-13-2004	Schneider	
	11.	US-2004/0152994	08-05-2004	Meier-Augenstein	
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	14.	US-2005/0053992-A1	03-10-2005	Hellerstein	
	15.	US-10/519,121	FD 09-15-2003	Hellerstein	
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	21.	US-11/064,197	FD 02-22-2005	Hellerstein	
	22.	US-11/078,083	FD 03-11-2005	Hellerstein	
	23.	US-11/094,387	FD 03-29-2005	Hellerstein	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	24.	WO-90/11371	10-04-1990	Anticancer, Inc.		
	25.	WO-93/25705	12-23-1993	Barranco		
	26.	WO-03/061479-A1	07/31/2003	Hellerstein		
	27.	WO-03/068919-A2	08/21/2003	Hellerstein		
	28.	WO-03/087314-A2	10/23/2003	Hellerstein		
	29.	WO-04/003493-A2	01/08/2004	Hellerstein		
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	31.	WO-04/021863-A2	03/18/2004	Hellerstein		
	32.	WO-04/024941-A2	03/25/2004	Hellerstein		

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	34.	WO-04/042360-A2	05/21/2004	Hellerstein		
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	36.	WO-05/015155-A2	02/17/2005	Hellerstein		
	37.	WO-05/033652-A2	04/14/2005	Hellerstein		

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NON PATENT LITERATURE DOCUMENTS					
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	38.	International Search Report mailed on June 29, 2004, for PCT application no. PCT/US03/04183 filed on February 12, 2003, 4 pages			
	39.	International Search Report mailed July 8, 2004, for PCT patent application no. PCT/US03/27623 filed on September 4, 2003, 4 pages			
	40.	International Search Report mailed August 18, 2004, for PCT application PCT/US03/23340, filed July 25, 2003, 2004: 4 pages			
	41.	International Search Report mailed on August 18, 2004, for PCT application PCT/US03/29526, filed September 16, 2003, 3 pages			
	42.	International Search Report mailed on August 20, 2004, for PCT application no. PCT/US03/10554 filed on April 4, 2003, 4 pages			
	43.	International Search Report mailed on January 19, 2005, for PCT application no. PCT/US03/29361 filed on September 15, 2003, 4 pages			
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Sheet	3	of	8	Attorney Docket Number	416272005200

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Examiner Signature		Date Considered	
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				Art Unit	1645
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